



THE DAILY WHIP

Wednesday, March 19, 2003 | Floor News from Democratic Whip Steny Hoyer

HOUSE MEETS AT...	LAST VOTE PREDICTED...
10:00 a.m.: Legislative Business	5:00 - 6:00 p.m.
Number of "One-Minutes" Today: 10 per side	

*** NOTE THAT ON THURSDAY WE EXPECT CRITICAL VOTES ON THE HOUSE BUDGET RESOLUTION. PLEASE NOTIFY THE DEMOCRATIC WHIP’S FLOOR STAFF IF YOU WILL BE ABSENT.

***NOTE THAT THE REPUBLICAN LEADERSHIP HAS INDICATED THAT VOTES ARE NOW POSSIBLE ON FRIDAY.

FLOOR SCHEDULE AND PROCEDURE

There will be a Members Only briefing at 11:00 a.m. in HC 5 with Secretary Ridge and the Sergeant at Arms to discuss Homeland Security, U.S. Capitol Security, and the Alert System.

- Suspensions (6 Bills):**
Suspension bills are debatable for 40 minutes each, may not be amended, and require two-thirds majority for passage.
- 1) **H.R. 417** - Cibola Wildlife Refuge Boundary Correction (Hunter - Resources)
 - 2) **H.R. 699** - To direct the Secretary of the Interior to conduct a comprehensive study of the Rathdrum Prairie/Spokane Valley Aquifer, located in Idaho and Washington (Nethercutt - Resources)
 - 3) **H.R. 519** - To authorize the Secretary of the Interior to conduct a study of the San Gabriel River Watershed (Solis - Resources)
 - * 4) **H.R. 1307** - Armed Forces Tax Fairness Act of 2003 (Thomas - W&M)
 - * 5) **H.R. 1308** - Tax Relief, Simplification, Equity Act of 2003 (Thomas - W&M)
 - 6) **H.Res. 132** - Resolution stating that the Pledge of Allegiance should be upheld (Ose - Judiciary)
- * Note: All provisions unrelated to the military have been pulled from H.R. 1307 and included in H.R. 1308 (neither bill includes the tax benefit to foreigners betting on U.S. horse races and the lower tax for diesel/water emulsion fuel).

H.R. 975 - Bankruptcy Abuse Prevention and Consumer Protection Act of 2003 (Sensenbrenner - Judiciary) (Subject to a Rule)

H.R. 1104 - Child Abduction Prevention Act (Sensenbrenner - Judiciary) (Subject to a Unanimous Consent Agreement)

BILL SUMMARY AND KEY ISSUES

H.R. 975 - Bankruptcy Abuse Prevention and Consumer Protection Act of 2003 (Judiciary) (Subject to a Rule). This bill makes it harder for individuals with average or higher incomes to wipe out their debts after liquidating most of their assets by filing bankruptcy under Chapter 7. Debtors whose monthly income meets a set means-test monetary threshold would need to file for bankruptcy under Chapter 13, which requires repayment of most debts. This will be the fourth Congress in which the House has taken up nearly identical legislation to overhaul the federal bankruptcy code. H.R 975 is nearly identical to legislation passed most recently by the House last November (H.R. 333) and does not include the language that barred abortion protestors from using bankruptcy laws to shield them from fines. H.R. 975 was adopted in the House Judiciary Committee on a party line vote (18-11) last Wednesday, March 12th.

The Rules Committee has recommended a structured rule that provides one hour of debate; waives all points of order against consideration of the bill; and provides one motion to recommit, with or without instructions. The Rule makes in order one amendment in the nature of a substitute and four additional amendments in the following order:

THE DAILY WHIP

Wednesday, March 19, 2003 | Floor News from Democratic Whip Steny Hoyer

- **Toomey/Sherman Amendment (10 minutes)** – Redrafts Title IX so that the same provisions in Title IX are applicable to both the bank and credit union federal regulators that must manage these matters should a problem occur.
- **Gutierrez (10 minutes)** – Provides that upon enactment, Section 1234 applies both prospectively and to involuntary cases now pending in the bankruptcy courts.
- **Cannon/Delahunt (10 minutes)** – Among other provisions, it increases the monetary cap on wage and employee benefit claims entitled to priority under the Bankruptcy Code from \$4,650 to \$10,000 and lengthens the reachback period for wage claims from 90 days to 180 days; and increases the reachback period during which fraudulent transfers can be rescinded from one to two years and provides that certain compensation payments to a corporation's insiders during this two-year reachback period can be rescinded, under certain circumstances.
- **Sherman (10 minutes)** – Requires corporations filing for bankruptcy to file their case in the district court that has jurisdiction over corporation's principal place of business in the U.S. is located.
- **Conyers (Amendment in the Nature of a Substitute – 40 minutes).** This substitute modifies the means test and requires the court, in considering a motion to dismiss or convert a Chapter 7 case, to take into account the debtor's actual reasonable and necessary expenses and income, and determine whether the debtor can repay 30% of unsecured debt. Protects child and spousal support obligations by limiting the ability of creditors to deprive debtors of the right to a fresh start and emerge from bankruptcy able to pay their obligations to their children. Prevents debtors from using bankruptcy court to evade lawful debts for certain criminal civil rights violations. Provides for additional bankruptcy judges according to the most recent needs assessment by the Judicial Conference. Provides for enhanced disclosure on credit card statements to help consumers understand the cost to repay balances using their actual debts.

H.R. 1104 - Child Abduction Prevention Act (Sensenbrenner - Judiciary) (Subject to a Unanimous Consent Agreement). This bill provides for the appointment of a national America's Missing: Broadcast Emergency Response (AMBER) alert network coordinator within the Justice Department and a grant program to help support the AMBER system. In addition, the bill includes a number of other provisions to increase penalties for crimes against children and for sex offenses (the bill would establish a mandatory life sentence for twice-convicted child sex offenders; and expand the list of criminal investigations in which government wiretaps would be allowed).

Democrats will continue to insist that Republicans agree to the immediate consideration of the Senate-passed AMBER legislation adopted on January 21st (S. 121).

DAILY QUOTE...

"To pay for the president's proposed tax cuts,[Budget Chairman] Nussle offers a plan that would curb the deficit by 2010 by cutting \$470 billion from Medicare, Medicaid, student loans, scientific research, food stamps, education and veterans benefits. Perhaps there is some waste in these programs, but why should the middle class and poor bear the cost of tax cuts that predominantly benefit the wealthy?"

- *Los Angeles Times'* editorial today

Steny Hoyer

Office of the Democratic Whip

Visit democraticwhip.house.gov for more press, floor and member resources

(202) 225-3130